

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from IR to SP zoning for properties located at 1418 and 1420 3rd Avenue North, at the southeast corner of Van Buren Street and 3rd Avenue North (0.32 acres), to permit a mixed use development, all of which is described herein (Proposal No. 2019SP-028-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from IR to SP zoning for properties located at 1418 and 1420 3rd Avenue North, at the southeast corner of Van Buren Street and 3rd Avenue North (0.32 acres), to permit a mixed use development, being Property Parcel Nos. 123, 124 as designated on Map 082-09 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 082 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to Veterinarian clinic as defined in the SP, and all uses permitted by MUL-A excluding: Alternative Financial Services, Beer/Cigarette Market, Fast Food Restaurant, Satellite Dish, Utility Uses, Waste Management Uses, Bail Bond Company, Short Term Rental – Owner and Not Owner Occupied.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

### Conditions

1. Any final site plan shall comply with all requirements of the Major and Collector Street Plan. With the corrected copy, preliminary SP shall be revised to show sidewalks and planting strips consistent with the MCSP.
2. Any parking visible from any public street shall be screened with hardscape and/or landscape. Planning staff shall evaluate the appropriateness of any proposed screening with final site plan review.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Section 5. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 6. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

---

Councilmember Freddie O'Connell

2019SP-028-001

1418 and 1420 3RD AVENUE NORTH

Map 082-09, Parcel(s) 123-124

Subarea 08, North Nashville

District 19 (O'Connell)

Application fee paid by: Paragon Group, LLC

A request to rezone from IR to SP zoning for properties located at 1418 and 1420 3rd Avenue North, at the southeast corner of Van Buren Street and 3rd Avenue North (0.32 acres), to permit a mixed use development, requested by Smith Gee Studio, applicant; Woodland Street Partners, LLC, owner.

